

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

CAMEO GONZALEZ,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting  
Commissioner of the Social Security  
Administration,

Defendant.

CASE NO. 13-cv-05416 RBL

REPORT AND RECOMMENDATION  
ON STIPULATED MOTION FOR  
REMAND

This matter has been referred to Magistrate Judge J. Richard Creatura pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Magistrates Rule MJR 4(a)(4), and as authorized by *Mathews, Secretary of H.E.W. v. Weber*, 423 U.S. 261 (1976). This matter is before the Court on defendant's stipulated motion to remand the matter to the administration for further consideration. (ECF No. 19.)

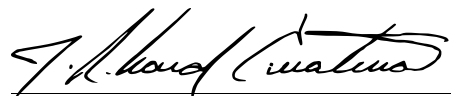
After reviewing defendant's stipulated motion and the relevant record, the undersigned recommends that the Court grant defendant's motion, and reverse and remand this matter to the

1 Acting Commissioner for further administrative proceedings pursuant to sentence four of 42  
2 U.S.C. § 405(g).

3 On remand, the Appeals Council shall instruct the Administrative Law Judge to assess  
4 the November 2005 physical capacities evaluation from Brian Gehley, P.T.; reassess the medical  
5 source opinion evidence, including opinions from Albert Bernstein, Ph.D., and Donna J. Johns,  
6 Psy.D.; and complete the rest of the sequential evaluation process in light of the above findings,  
7 as necessary. Also, following proper application to the Court, that parties agree that reasonable  
8 attorney'' fees will be awarded pursuant to the Equal Access to Justice Act, 24 U.S.C. § 2412, *et*  
9 *seq.*

10 Given the facts, and the parties' stipulation, the Court recommends that United States  
11 District Judge Robert B. Leighton immediately approve this Report and Recommendation and  
12 order that the case be REVERSED and REMANDED for further administrative proceedings  
13 pursuant to sentence four of 42 U.S.C. § 405(g).

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15 Dated this 29th day of January, 2014.

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18 J. Richard Creatura  
19 United States Magistrate Judge  
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